

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Boilers Department – Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers – Anti Corruption Bureau trap case - Convicted –Imposed the punishment of withholding pension and gratuity in full permanently - Sanction of Provisional Pension from 01.11.2007 to 14.04.2008 under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 – Orders – Issued.

LABOUR, EMPLOYMENT, TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Rt.No. 288

Dated:20.03.2013

Read the following:-

1. ACB Court Judgment in C.C.No. 10/2003, dated 01.02.2008.
2. DOB Proceedings No. A1/18971/2007, dated 15.04.2008.
3. Judgment of Hon'ble APAT in O.A.No. 9303/2009, dt. 27.11.2009.
4. From the DOB, Lr No. A1/16475/2009, dated 23.11.2011.
5. G.O.Rt.No. 1097, Finance and Planning (FW-Pension I) Department, Dated 22.06.2000.

ORDER :

Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers while working as Deputy Chief Inspector of Boilers, Anantapur was red handedly trapped by Anti Corruption Bureau on 12.06.2002 and convicted by the Anti Corruption Bureau Court vide reference 1st read above.

2. Aggrieved by the above orders of Anti Corruption Bureau Court judgment, Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers filed Criminal Appeal in the High Court of Andhra Pradesh. The Hon'ble High Court in Crl. A.M.P. No. 340/2008 in Crl.A.No. 208/2008, dated 25.02.2008 ordered as follows:

“ The sentence of imprisonment alone is suspended during the pendency of Crl. Appeal No. 208 of 2008 and the petitioner / accused shall be released on bail on the same terms and conditions imposed by the trial court while granting bail.”

3. Accordingly orders were issued imposing a penalty of withholding pension and gratuity in full permanently with immediate effect against Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers under Andhra Pradesh Revised Pension Rules, 1980 as he was retired from service vide reference 2nd read above,

4. Against the above orders, Sri B.Yogeswara Rao (Retd.) Deputy Chief Inspector of Boilers has filed O.A.in Andhra Pradesh Administrative Tribunal for release of pension and other pensionary benefits. The Andhra Pradesh Administrative Tribunal in its final orders in O.A.No. 9303/2009 dated 27.11.2009 directed the respondents as follows :

“Keeping all the facts and circumstances of the case in mind and in view of the relevant rules including Rule 52(1) (b) of Andhra Pradesh Revised Pension Rules and also as per Article 311(2) of the Constitution of India and also the principles of natural justice, the respondents are directed to pay provisional pension to the applicant pending final disposal/ conclusion of the criminal appeal of the applicant pending in the High Court. “

P.T.O.

5. In the reference 4th read above, the Director of Boilers has also requested the Government to sanction provisional pension to individual from the date of his retirement .

6. In the light of above position and after careful examination of the matter Government hereby sanction 75% of normal pension as provisional pension to Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers from the date of retirement to final orders issued in the case i.e., from 01.11.2007 to 14.04.2008 as the disciplinary case is pending during the said period under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 in terms of G.O. 5th read above.

7. The Director of Boilers, Hyderabad shall take further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B.Yogeswara Rao, (Retd.) Deputy Chief Inspector of Boilers
through the Director of Boilers, Andhra Pradesh, Hyderabad .
The Director of Boilers, Andhra Pradesh, Hyderabad .

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.
Sf/Sc.

//Forwarded :: By order//

SECTION OFFICER